

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

R&B – Payment of 50% of E.Ps. amount in E.P.Nos. 13/2009, 14/2009 & 15/2009 for an amount of Rs.322.25 lakhs for S1, S2 & S3 packages for improvements and rehabilitation of HKR Road to deposit the same in the 12th Addl. Chief Judge (FTC) CCC, Hyd., - Administrative Sanction – Accorded – Orders – Issued.

TRANSPORT, ROADS AND BUILDINGS (R.IV) DEPARTMENT

G.O.Rt.No. 741

Dated:28.07.2011

Read the following:

1. From the ENC, SR, Lr.No.884/ADB/DEE8/AEE1/2000, Dated: 18.08.2008, 21.10.2010 & 28.07.2011.
2. G.O. Rt. No. 2993, Fin. (Expr.PW) Dept., Dated: 28.07.2011.

ORDER:

The Engineer-in-Chief, State Roads in the reference 1st read above, has stated that M/s Afcons Pauling (India) Ltd., were awarded the contract for the work of "Improvement of Hyderabad-Karimnagar-Ramagundam road packages S1, S2 & S3". During the course of construction, certain disputes arise between the contracting firm and the Govt. The matter has been referred to the Committee of Arbitrators, the committee examined and rendered the arbitration award.

2. Against the award the Govt. filed suits on the file of the Hon'ble 12th Addl. Chief Judge (FTC) CCC, Hyd. and the said suits were disposed off in favour of the contracting agency. The case has been referred to the learned Advocate General to contest.

3. The learned Advocate General has stated that, the CMAs 279/2010, 280/2010 & 308/2010 filed by the Dept., for stay of execution of decree in A.O. Nos. 1515/2003, 1514/2003 and 1516/2003, 1/2006 including E.P. Nos. 14/2009, 13/2009 and 15/2009 have come up for hearing before Hon'ble Mr. Justice V.Eswaraiah and Hon'ble Mr. Justice Naushad Ali, on 31.08.2010, the learned judges, after hearing the arguments admitted the CMAs and granted stay on the condition of depositing 50% of E.P. amount within 8 weeks from 31.08.2010, if the amount is not deposited within the stipulated time, the stay stands automatically vacated.

4. The ENC, State Roads, has further stated that details including calculations sheets thereof are obtained from S.Es, the details of which are hereunder.

1. 50% of E.P. amount for S1 package ..	Rs.1,09,25,738/-
2. 50% of E.P. amount for S2 package ..	Rs.1,07,06,810/-
3. 50% of E.P. amount for S3 package ..	Rs.1,05,91,851/-

Total 50% of E.P.s amount .. Rs.3.22,24,399/-

5. He has further stated that the 12th Addl. Chief Judge (FTC) CCC, Hyd. had issued decree for proclamation of sale of movable property in which it is stated that the property will be sold in satisfaction of decree and where as on the 29.07.2011 there will be due under the sum of Rs.3,22,24,399/- of principle and interest and requested the Govt. to release the 50% of E.P.s amount for S1, S2 & S3 packages for improvements and rehabilitation of HKR Road for Rs.3,22,24,399/- to deposit the same in the Court to avoid attachment of Govt. property.

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6. Accordingly the Fin. Dept. have issued BRO for Rs.322.25 Lakhs towards payment of 50% decretal amount in connection with the work "Improvement of HKR road packages S1, S2 & S3 under the core network roads (works) head duly authorizing the Chief Engineer CRN & M.D., APRDC vide G.O.2nd read above.

7. Government, after careful examination of the matter, hereby accord administrative sanction for an amount of Rs.322.25 Lakhs towards payment of 50% of decretal amount for depositing in the Court, in connection with the work "improvement of HKR road packages S1, S2 & S3, in compliance with the orders of Hon'ble High Court Dated: 31.08.2010.

8. The amount sanctioned in para (7) above shall be debited to the Head of Account "5054-04-MH 800-GH 11 - SH (33) Core network roads (works) - 530-531 Other expenditure".

9. The Chief Engineer, CRN & M.D., APRDC shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.SINGH,
PRINCIPAL SECRETARY TO GOVERNMENT

To:

The Chief Engineer, CRN & M.D., APRDC, Hyd.

Copy to :

The Engineer-in-Chief, (R&B) State Roads, Hyd.

The Accountant General, A.P., Hyd.

The Director of Treasuries & Accounts, Hyd.

The Pay & Accounts Officer, Hyd.

The P.S. M(R&B)

The Fin. (Expr.PW) Dept.

The Spl. Govt. Pleader, O/o the Learned A.G., High Court, A.P., Hyd.

The Govt. Pleader, City Civil Court, Hyd.

The P.S. to Prl. Secy. to Govt. (R&B)

//FORWARDED BY ORDER//

SECTION OFFICER